

REMARKS

This application has been reviewed in light of the Office Action dated October 5, 2006. Claims 12-21 are presented for examination, of which Claims 12, 16, 21 and 20 are in independent form, and have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

Initially, the typographical error kindly noted by the Examiner in Claim 20 has been corrected.

In the Office Action, Claims 12-21 were rejected under U.S.C. § 103(a) as being obvious from U.S. Patents 6,415,313 (Yamada et al.) and 6,353,855 (Hendren III), taken in combination.

The aspect of the present invention set forth in Claim 12 is a network-connectable apparatus for restricting access to the network-connectable apparatus by another apparatus “in accordance with a status of the network-connectable apparatus” (recitation of the restricting device component in Claim 12). The network-connectable apparatus detects whether the request from the other apparatus is a request for inquiry about update of a file, and discriminates, based on detection by said detecting device, whether a file corresponding to a file cached by the other apparatus has been updated.

In a case where the access to the network-connectable apparatus by the other apparatus is not restricted, the network-connectable apparatus sends information representing that the file corresponding to the file cached by the other apparatus has not been updated, to the other apparatus, or to send the updated file to the other apparatus, in accordance with the discrimination by said discrimination device.

In a case where the access to the network-connectable apparatus by the other apparatus is restricted, the network-connectable apparatus sends information representing that the access is rejected to the other apparatus, regardless as to whether or not the file corresponding to the file cached by the other apparatus is updated.

Yamada relates to a system for determining what communication quality is optimum for transfer of a datagram, based on information in the datagram. According to *Yamada*, and in particular the passages specifically cited by the Examiner, the *Yamada* system can (1) determine whether the datagram contains high-security information, (2) determine whether the datagram contains authentication information, and (3) determine whether the datagram contains a query, including an if-modified-since query, and (4) if the query defines an unregistered method, return an appropriate message such as status code 405 (“method not allowed”).

In contrast to the apparatus of Claim 12, the *Yamada* system sends a Status Code (“not modified”, “Precondition Failed”) corresponding to the update time of a file in response to the receipt of an inquiry from the other apparatus about the update time of the file.

As the Examiner recognizes, *Yamada* does not return a message indicating a reason for access denial, regardless of whether the file in question has been updated, in a case where access is denied, but he believes that this function is taught by *Hendren*.

Hendren relates to a system for sending reasons about deletion of a file from an HTTP server or rejection of an authentication.

Applicant submits that neither *Yamada* nor *Hendren* discloses even so much as restricting access to a network-connectable apparatus. Still less does either suggest a

restricting device that restricts access in accordance with a status of the network-connectable apparatus, as does the restricting device recited in Claim 12. Thus, it is not seen how a person of merely ordinary skill could have been led by these two patents, taken separately or in any possible combination, to the structure recited in Claim 12, specifically, an apparatus in which, in a case where access to the network-connectable apparatus is not restricted, the network-connectable apparatus sends information representing that the file corresponding to the file cached by the other apparatus has not been updated, to the other apparatus, or to send the updated file to the other apparatus, in accordance with the discrimination; and, in a case where access to the network-connectable apparatus by the other apparatus is restricted, the network-connectable apparatus sends information representing that the access is rejected to the other apparatus, regardless as to whether or not the file corresponding to the file cached by the other apparatus is updated.

Accordingly, Claim 12 is believed to be allowable over *Yamada* and *Harden* taken separately or in any permissible combination (if any).

Independent Claim 16 differs from Claim 12 in reciting "time information related to a file possessed by the other apparatus" in place of "request for inquiry about update of a file." Accordingly, Claim 16 also is believed to be allowable over *Cohen* and *Hendren*, taken separately or in any permissible combination (if any), for at least the reasons discussed above with regard to Claim 12.

Independent Claims 20 and 21 are method claims corresponding to apparatus Claims 12 and 16, respectively, and are believed to be patentable for at least the same reasons as discussed above in connection with Claims 12 and 16.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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